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In re Application of
Alain Bethune, et al.
Application No. 09/506,795
Filed: February 18, 2000
Attorney Docket No. 05725.0533-00000

OFFICE OF PETITIONS

ON PETITION

This is a decision on the petition under 37 CFR 1.137(b), filed May 12, 2004, to revive the above-identified application.

The petition is **GRANTED**.

The above-identified application became abandoned for failure to reply in a timely manner to the final Office action mailed November 18, 2003, which set a shortened statutory period for reply of three (3) months. No extensions of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the application became abandoned on February 19, 2004.

Receipt is acknowledged of the Amendment filed May 12, 2004, with the instant petition.

A review of the record indicates that a Request for Continued Examination (RCE) was submitted on April 2, 2004 and again on May 12, 2004. The Amendment filed May 12, 2004 is being treated as the submission under 37 CFR 1.114 for the first filed RCE. A Notice of Improper Request for Continued Examination (RCE) was mailed on April 15, 2004. Accordingly, the RCE submitted on May 12, 2004 is unnecessary and the fee will be credited to petitioner's deposit account no. 06-0916 as authorized.

Telephone inquiries concerning this decision should be directed to the undersigned at (703) 306-5594.

The application file is being forwarded to Technology Center 1700, Art Unit 1734 for processing the Request for Continued Examination under 37 CFR 1.114 filed on April 2, 2004.

Retta Williams

Retta Williams
Petitions Examiner
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for Patent Examination Policy